

R E M A R K S

Prior to examination, claims 2-15 and 18 are cancelled, without prejudice to their subject matter or to their reassertion in this or a continuing application. Claim 1 is amended to recite an electrochromic system. Electrochromic system claims 16 and 17 are amended to improve their form. No new matter is introduced by this Amendment. Claims 1, 16, and 17 is pending in the application.

There are significant technical differences between the solar cell (photoelectrochemical system) of claims 19 and 20 in application Serial No. 11/103,558 and the electrochromic system of claims 1, 16, and 17 herein. There is a level of complexity to the problems particular to the present electrochromic system which are markedly different from those involved in solar cell technology of Serial No. 11/103,558.

A significant technical distinction between the two systems is that, in the electrochromic system there is an electrochromic material attached to the porous substrate on the electrode, while in the solar cell there is a photosensitive dye attached to the porous substrate on the electrode. The solar cell is not subject to a voltage and has no requirement to undergo a color change, but instead generates an electric current itself on exposure of the photosensitive dye to light, thereby enabling the system to function as a solar cell. In contrast, the electrochromic system requires a voltage across

the electrodes (the working electrode and the counterelectrode) in the electrochemical cell in order to effect the desired color change in the electrochromic material for application as a display device.

The purpose of the above discussion is not to limit in any way the scope of the claims in this application or in application Serial No. 11/103,558. Instead, Applicants intention is simply to highlight differences between the electrochromic technology of the present invention and the photoelectrochemical technology involved in the invention of application Serial No. 11/103,558.

Applicants also note that the present application (Serial No. 10/814,263) and application Serial No. 11/103,558 are classified differently, and have been assigned to different Examiners for examination. This application is classified in Class 136 (BATTERIES: THERMOELECTRIC AND PHOTOELECTRIC). That application is classified in Class 429 (CHEMISTRY: ELECTRICAL CURRENT PRODUCING APPARATUS, PRODUCT, AND PROCESS). This application is assigned to Examiner Alan Diamond. That application is assigned to Examiner Monique Wills. Thus the Initial Examination Team of the United States Patent and Trademark Office has recognized that there are fundamental differences between the technology claimed in this application (Serial No. 10/814,263) and the technology that is the subject of application Serial No. 11/103,558.

Early and favorable action on the merits of claims 1, 16, and 17 in this application is earnestly solicited.

The Examiner is invited to contact Richard Gallagher (Reg. No. 28,781) at (703) 205-8008 with any questions pertaining to this application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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